

Donald J. Lee, Jr.

Chief of Police



Key West POLICE DEPARTMENT

December 4, 2008

Mr. Bryan Green
Citizen Review Board
PO Box 1946
Key West, FL 33041

Mr. Green,

Based on a review of the original file completed by Inspector Del Cid, it appears the case was reported to the Key West Police Department via the CRB on 07 October 2007. The case was entered into the KWPD Investigations Database on 10 October 2007 by Inspector Del Cid.

The notifications, documenting the complaint, were sent by the Department confirming the active investigation on 17 October to Mr. Unuvar and the involved officers.

Inspector Del Cid conducted her first interview on 17 October followed by six subsequent interviews the last taking place on 26 December 2007. Originally, the last person to be interviewed was Officer Sanchez.

The file was sent out for a Finding to Captain Scott Smith on 01 February 2008, and returned on 05 February 2008, based on a possible conflict of interest. (See file memo)

At the beginning of the month of February, it appears that Inspector Del Cid realized or was informed that the interview she conducted with Officer M. Klosowski on October 17, 2007 was missing from the file. She checked her electronic storage in her departmental computer to retrieve a copy, which in fact she references in her summary and stated that Klosowski's electronic interview must have inadvertently been lost during an IT upgrade on her computer. She immediately notified Lt Smith, who was assigned as her supervisor just over a week earlier, and re interviewed Officer Klosowski on February 07, 2008.

She added the new Klosowski interview and re dated the summary 02/14/2008, as evidenced by Inspector Del Cid's signature at the end of the summary report on or about 14 February 2008.



RESPECT - INTEGRITY - FAIRNESS

Key West Police Department 1604 N. Roosevelt Blvd. Key West, FL 33040 (305) 809-1111
www.keywestcity.com



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On 14 February 2008, the file was forwarded to Lt. Alfredo Vasquez for the Finding due to the original conflict with Captain Smith. Although I cannot recall why it was not completed soon thereafter, I do know based on e-mails that there were requests from Professional Standards to Lt. Vasquez to return the file with a finding. The dates of those correspondences were on 14 March, 24 March and 25 March and cc'd to, then Executive Director for the CRB, Amanda Willett.

Finally, on 28 March 2008, the Internal Affairs Office received the Finding from Lt. Vasquez and the case was CLOSED the same day.

A review of 2007 files indicated that during the same timeframe several other significant cases were being investigated by Inspector Del Cid, which may have also contributed to the hold up of this particular case.

The letter provided to this agency from you stated the following; "As you are aware, this file was well aged over the 180 day limitation period recited in the Florida Officer's Bill of Rights (F.S. 112.532(6)(a) and left our board with no time to address this matter whatsoever or to make a meaningful and timely recommendation." In fact, from the date this agency received the actual complaint on October 10, 2007 and closed the file on March 28, 2008 the duration of elapsed time was 170 days, and not over the 180 day time limit provided in the statute.

Although these are not excuses the information provided may have been contributing factors to the delay of the investigation. It appears that a lack of time management and case review occurred in this particular investigation. It also appears that suspense dates were ignored and no accountability measures were enforced.

It is important to know that I believe that it is in the best interest of all involved to complete any investigation in a timely manner. However complex and lengthy investigations may jeopardize the 180 time limit to impose discipline. I am committed to ensuring that investigations are completed well within a reasonable amount of time for all interested parties to review and provide feedback.

Respectfully,

A handwritten signature in black ink, appearing to read "D. Lee Jr.", written over the typed name.

Donald J. Lee Jr.
Chief of Police



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CITY OF KEY WEST

Citizen Review Board
PO Box 1946
Key West, FL 33041
(305) 809-3887

November 4, 2008

Chief Donald Lee
Key West Police Department
Post Office Box 1409
Key West, FL 33041

RE: Suleyman Unuvar
CRB# 07-006
PS# 07-026

Officer: Luis Sanchez

Dear Chief Lee:

This notice is in compliance to the Charter of the City of Key West Chapter 1.07 providing that the Citizen Review Board review and/or investigate complaints involving Key West police officers and forward findings and/or recommendations to City management, the chief of police, State Attorney, other state and federal law enforcement agencies and/or grand juries.

Thank you for your continued attention to this matter. Our Board reached a final recommendation in this case for a **three (3) day unpaid suspension** and remedial intradepartmental training on the use of force of the above referenced officer. As you are aware, this file was well aged over the 180 day limitation period recited in the Florida Officer's Bill of Rights (F.S. 112.532 (6)(a)) and left our Board with no time to address this matter whatsoever or to make a meaningful and timely recommendation.

Our Board has requested that the Key West Police Department clarify in writing why it took so long for this file to be investigated by the department which apparently resulted in the lapse of the 180 day limitation period.

Respectfully,


Bryan Green
Chairman

cc: Lt. David Smith
Mr. Jim Scholl